



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

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June 17, 2003

TO: Each Supervisor

FROM: James A. Noyes
Director of Public Works

BOARD MOTION OF MAY 20, 2003, AGENDA ITEM 104-A VEHICLE CODE ENFORCEMENT BY THE CALIFORNIA HIGHWAY PATROL

On May 20, 2003, your Board directed Public Works, in conjunction with County Counsel, to report back in 30 days with a plan that allows the California Highway Patrol (CHP) to enforce traffic regulations on streets in the unincorporated Santa Clarita Valley that have been dedicated to the County but not yet accepted into the County's System of Roads and Highways. We have consulted with County Counsel in the preparation of this memo.

The streets at issue are those constructed as part of a subdivision project. When the subdivision final map records, the developer dedicates to the County and the County accepts the real property underlying the streets (the right of way). Because the streets have yet to be constructed, the roadway improvements themselves are not accepted by the County into the Road System. Once the roadway improvements have been properly constructed, the County accepts the streets into the Road System and, thereafter, becomes responsible for maintenance of the streets (thereby relieving the developer of that responsibility).

It can be quite some time before the roadway improvements are fully completed. However, a developer often allows the general public to use the partially improved streets for access to homes for sale and homes already occupied. Since the County has yet to accept these streets into the Road System, the CHP expressed the concern that it could not enforce the Vehicle Code on those streets.

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Fortunately, the CHP's concern was recently allayed by the discovery of a 1966 California Attorney General's Opinion. The Opinion was requested by Santa Barbara County and is based on facts substantially identical to the situation presented in the Santa Clarita Valley. The Attorney General concluded that the CHP is authorized to enforce provisions of the Vehicle Code relating to streets in a subdivision where the streets have been offered for dedication, the dedication has been accepted by approval of a final subdivision map, and the streets are open to and being used by the public, even though the streets have not been formally accepted into the Road System. Therefore, the CHP has begun enforcing basic provisions of the Vehicle Code such as, but not limited to, those relating to prima facie speed limits, basic speed law, and reckless driving.

Because the CHP has started to enforce the Vehicle Code on the streets in question, we do not believe that there is any need for your Board to take any additional action at this time.

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cc: Chief Administrative Office
Executive Office